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10/720,073	11/25/2003	Sven Bernhard	11884/407901	4197

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EXAMINER
HOANG, HIEU T

ART UNIT	PAPER NUMBER
2152	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/720,073	BERNHARD ET AL.
	Examiner	**Art Unit**	
	Hieu T. Hoang	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 November 2003</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-19</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 September 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   Paper No(s)/Mail Date. _____ .
3)☐ Information Disclosure Statement(s) (PTO/SB/08)   5)☐ Notice of Informal Patent Application
   Paper No(s)/Mail Date _____ .   6)☐ Other: _____ .

DETAILED ACTION

1.   This office action is in response to the communication filed on 11/25/2003.

2.   Claims 1-19 are pending and presented for examination.

Claim Objections

3.   Claims 3 and 15 are objected to because of the following informalities: the claim

recites "the device profile". There is insufficient antecedent basis for this limitation in the

claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter
> which the applicant regards as his invention.

5.   Claims 1-7 and 13-19 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

6.   Claim 1 recites: "storing at least one configuration parameter relating to a

software application at a network node." This limitation can be interpreted in two ways.

One way is storing at least one configuration parameter relating to (a software

application at a network node). Another way is (storing at least one configuration

parameter) relating to a software application (at a network node). It is unclear whether

the application is at the network node or the storing is implemented at the network node.

The examiner will interpret the limitation to have the second way of interpretation.

Similarly, in the receiving step, same rationale is applied.

7.   Claim 13 is rejected for the same rationale as in claim 1.

8.   Claims 2-7 are dependent on claim 1. Claims 14-19 are dependent on claim 13.

Therefore, claims 2-7 and 14-19 are also rejected as being indefinite.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the
> United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by
> another filed in the United States before the invention by the applicant for patent, except that an international application
> filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed
> in the United States only if the international application designated the United States and was published under Article
> 21(2) of such treaty in the English language.

10.   Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by

Chasman et al. (US 2007/0180075, hereafter Chasman).

11.   For claim 1, Chasman discloses a method for remotely configuring at least one

network device comprising:

storing at least one configuration parameter relating to a software application at a

network node (fig. 1, fig. 2, application server with a master database for storing

business object type or application and configuration information), wherein each of the

configuration parameters specifies configuration information as a function of the

application (fig. 1, [0019], each business object type or application has associated

properties or configuration);

receiving a synchronization request from a first network device participating in a

particular application at the network node ([0023] lines 12-18, [0024] lines 1-3, update

request from the client device to the application server);

determining an associated configuration parameter for the first network device as

a function of the associated application ([0024] lines 3-14, comparing identifiers in the

master database with identifiers in the update request to synchronize the data to the

latest version);

initiating a process to configure the first network device as a function of the

associated configuration parameter ([0024] lines 14-19, updated data transferred to

client device which will then update its own data).

12.   For claim 13, Chasman discloses a program storage device including instructions

for remotely configuring at least one network device comprising:

storing at least one configuration parameter for each the at least one network

device at a network node (fig. 1, fig. 2, application server with a master database for

storing business object type or application and configuration information), wherein each

of the configuration parameters specifies configuration information as a function of a

device profile (fig. 1, [0019], each business object type or application has associated

properties or configuration);

receiving a synchronization request from a first network device at the network

node ([0023] lines 12-18, [0024] lines 1-3, update request from the client device to the

application server);

determining an associated configuration parameter for the first network device

([0024] lines 3-14, comparing identifiers in the master database with identifiers in the

update request to synchronize the data to the latest version);

initiating a process to configure the first network device as a function of the

associated configuration parameter ([0024] lines 14-19, updated data transferred to

client device which will then update its own data).

13.   For claim 8, Chasman discloses a system for remotely configuring at least one

network device comprising:

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the application is at the network node or the storing is implemented at the network node.

The examiner will interpret the limitation to have the second way of interpretation.

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7.   Claim 13 is rejected for the same rationale as in claim 1.

8.   Claims 2-7 are dependent on claim 1. Claims 14-19 are dependent on claim 13.

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> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the
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> United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by
>
> another filed in the United States before the invention by the applicant for patent, except that an international application
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> filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed
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> in the United States only if the international application designated the United States and was published under Article
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> 21(2) of such treaty in the English language.

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11.   For claim 1, Chasman discloses a method for remotely configuring at least one

network device comprising:

storing at least one configuration parameter relating to a software application at a

network node (fig. 1, fig. 2, application server with a master database for storing

business object type or application and configuration information), wherein each of the

configuration parameters specifies configuration information as a function of the

application (fig. 1, [0019], each business object type or application has associated

properties or configuration);

receiving a synchronization request from a first network device participating in a

particular application at the network node ([0023] lines 12-18, [0024] lines 1-3, update

request from the client device to the application server);

determining an associated configuration parameter for the first network device as

a function of the associated application ([0024] lines 3-14, comparing identifiers in the

master database with identifiers in the update request to synchronize the data to the

latest version);

initiating a process to configure the first network device as a function of the

associated configuration parameter ([0024] lines 14-19, updated data transferred to

client device which will then update its own data).

12.   For claim 13, Chasman discloses a program storage device including instructions

for remotely configuring at least one network device comprising:

storing at least one configuration parameter for each the at least one network

device at a network node (fig. 1, fig. 2, application server with a master database for

storing business object type or application and configuration information), wherein each

of the configuration parameters specifies configuration information as a function of a

device profile (fig. 1, [0019], each business object type or application has associated

properties or configuration);

receiving a synchronization request from a first network device at the network

node ([0023] lines 12-18, [0024] lines 1-3, update request from the client device to the

application server);

determining an associated configuration parameter for the first network device

([0024] lines 3-14, comparing identifiers in the master database with identifiers in the

update request to synchronize the data to the latest version);

initiating a process to configure the first network device as a function of the

associated configuration parameter ([0024] lines 14-19, updated data transferred to

client device which will then update its own data).

13.   For claim 8, Chasman discloses a system for remotely configuring at least one

network device comprising:

a network node, wherein the network node stores device specific configuration

files and configuration parameters (fig. 1, fig. 2, application server with a master

database for storing business object type or application and configuration information

with parameters), the configuration parameters associating a network application with at

least one configuration option (fig. 1, [0019], each business object type or application

has associated properties or configuration);

a configuration module, wherein the configuration module:

- receives a configuration request from a particular network device ([0023]

    lines 12-18, [0024] lines 1-3, update request from the client device to the

    application server);

- determines associated device specific configuration files appropriate for

    the particular network device ([0024] lines 3-14, comparing identifiers in

    the master database with identifiers in the update request to synchronize

    the data to the latest version);

- initiates a deployment of the associated device specific configuration files

    for the particular network device ([0024] lines 14-19, updated data

    transferred to client device which will then update its own data).

14.   For claims 2 and 14, Chasman further discloses initiating a process to configure

the first network device as a function of the associated configuration parameter includes

transmitting device specific configuration files to the first network device as a function of

the associated configuration parameter ([0024] lines 14-19, synchronize the client

database with the latest update or configuration from the master database by comparing

(functions of) identifiers and version stamps).

15.   For claims 3 and 15, Chasman further discloses the device profile relates to at

least one of a hardware profile and a software profile (fig. 1, business software

application).

16.   For claims 4 and 16, Chasman further discloses initiating a process to configure

the first network device further includes receiving a device registry file from the first

network device (fig. 4, step 430, update request in a queue with version stamps reads

on registry information); determining device specific files appropriate for the first device

as a function of the associated configuration parameter and the device registry

associated with the first network device (fig. 4, after synchronization, based on

identifiers and version registry information, determine the appropriate new version

information).

17.   For claims 5 and 17, Chasman further discloses each of the configuration

parameters associates the application with at least one configuration option (fig. 2, each

application (type) has a one configuration (at least version identifier) associated with it).

18.   For claims 6, 12 and 18, Chasman further discloses the at least one configuration

option includes at least one of power settings, menu options and application settings

(fig. 3, application settings of a business object).

19.   For claims 7, 11 and 19, Chasman further discloses the network devices include

at least one of a laptop computer, a PDA ("Personal Digital Assistant") and a desktop

computer ([0017] lines 1-7).

20.   For claim 9, Chasman further discloses the network application includes the

collective behavior of a plurality of network devices and each network device is

associated with a device profile including at least one of a hardware profile and a

software profile (fig. 4 step 430, update message regarding a sales opportunity

application software type from the client device and collected from a user).

21.   For claim 10, Chasman further discloses determining associated device specific

configuration files further includes determining a particular network application

associated with the particular network device (fig. 4, update request with application

type field associated with identifier); determining configuration options for the particular

network device participating in the network application using the configuration

parameters; determining the device specific configuration files as a function of the

device profile for the particular network device ([0024] lines 3-14, comparing identifiers

in the master database with identifiers in the update request to synchronize

configuration data (in this case the status change) to the latest version).

Conclusion

22.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

- Salem et al. US 2003/0084104.

- Caulfield et al. 2007/0177571.

- Heard et al. US 2006/0236363.

- Mettala et al. US 2004/0215669.

- Sivaraman et al. US 2004/0205263.

- Heard et al. US 200/0242685.

- Hu. US 2003/0182408.

23.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-

1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m.,

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

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